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22 and Henry Warner

23 UNITED STATES DISTRICT COURT
24 NORTHERN DISTRICT OF CALIFORNIA
25 SAN JOSE DIVISION

26 IN RE CIM-SQ TRANSFER CASES,

Case No. 5:20-cv-06326-EJD

27 **STIPULATION AND ~~PROPOSED~~**
28 **ORDER RE AMENDMENT**

29 *This Document Relates To:*

Judge: Hon. Edward J. Davila

30 *Ruiz v. State of California, 5:21-cv-01832-*
31 *EJD*

Date Filed: October 19, 2021

32 *Hampton v. State of California, 5:21-cv-*
33 *03058-EJD*

Trial Date: None set

34 *Warner v. State of California, 5:21-cv-08154-*
35 *EJD*

Pursuant to Federal Rule of Civil Procedure 15(a)(2) and Civil Local Rule 7-12, Plaintiffs Santos Ruiz, Fernando Vera, Vanessa Robinson, Daniel Ruiz, Jr., and Angelina Chavez (collectively, "Ruiz Plaintiffs"), Plaintiff Jacqueline Hampton, Plaintiff Henry Warner, and Defendants State of California, California Department of Collections and Rehabilitation, San Quentin State Prison, Ralph Diaz, Estate of Robert S. Tharratt, Ronald Davis, Ronald Broomfield, Clarence Cryer, Alison Pachynski, M.D., Shannon Garrigan, M.D., Louie Escobell, R.N., Muhammad Farooq, M.D., and Kirk Torres, M.D., by and through their respective counsel of record, hereby stipulate as follows:

WHEREAS, the Ruiz Plaintiffs filed the Complaint in *Ruiz v. State of California*, No. 5:21-cv-01832-EJD, on March 16, 2021, and the First Amended Complaint on July 7, 2021;

WHEREAS, Jacqueline Hampton filed the Complaint in *Hampton v. State of California*, No. 5:21-cv-03058-EJD, on April 27, 2021, the First Amended Complaint on July 8, 2021, and the Second Amended Complaint on March 21, 2022;

WHEREAS, Henry Warner filed the Complaint in *Warner v. State of California*, No. 5:21-cv-08154-EJD, on October 19, 2021;

WHEREAS, the Ruiz Plaintiffs, Hampton, and Warner seek to amend their operative Complaints to name as Defendant Tina Tharratt, as Personal Representative of the Estate of Robert S. Tharratt, in place of Estate of Robert S. Tharratt, in accordance with California Code of Civil Procedure, Section 377.40;

WHEREAS, the Ruiz Plaintiffs, Hampton and Warner have provided Defendants with a copy of their proposed amended complaints and Defendants consent to the amendment;

WHEREAS, Plaintiffs' filing of such Amended Complaints will not result in any prejudice to Defendants and will not delay compliance with any of the case management deadlines already ordered by the Court;

WHEREAS, in consenting to this amendment, Defendants do not waive any objections or defenses, and reserve the right to challenge the Amended Complaints on substantive grounds;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties hereto through their respective attorneys of records that Plaintiffs may, pursuant to Rule 15(a) of the

1 Federal Rules of Civil Procedure, file Amended Complaints naming as Defendant Tina Tharratt,
2 as Personal Representative of the Estate of Robert S. Tharratt, in place of Estate of Robert S.
3 Tharratt.

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5 Dated: May 7, 2025

KEKER, VAN NEST & PETERS LLP

6
7 By: /s/Sarah Salomon

KHARI J. TILLERY

SARAH SALOMON

8 FRANCO MUZZIO

9 TAYLOR REEVES

NATHANIEL BROWN

10 AMRUTHA DORAI

FLORA D. MORGAN

11 Attorneys for Plaintiffs Santos Ruiz,
12 Fernando Vera, Vanessa Robinson, Daniel
13 Ruiz, Jr., Angelina Chavez, Jacqueline
Hampton, and Henry Warner

14 Dated: May 7, 2025

CALIFORNIA DEPARTMENT OF
JUSTICE

15
16 By: /s/Zachary Glantz

Zachary Glantz

17 Attorney for Defendants
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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT:

Plaintiffs may file Amended Complaints naming as Defendant Tina Tharratt, as Personal Representative of the Estate of Robert S. Tharratt, in place of Estate of Robert S. Tharratt in *Ruiz v. State of California*, No. 5:21-cv-01832-EJD; *Hampton v. State of California*, No. 5:21-cv-03058-EJD; and *Warner v. State of California*, No. 5:21-cv-08154-EJD.

Dated: May 8, 2025

By:


Hon. Edward J. Davila